

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
	:	
ADVANTAGE HOLDCO, INC., et al. ¹ ,	:	Case No. 20-11259 (CTG)
	:	
Debtors.	:	(Jointly Administered)
	:	
CBIZ Accounting, Tax and Advisory of	:	
New York, LLC, Trustee of the	:	
Advantage Rent A Car Unsecured	:	
Creditor Trust Liquidating Trust,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Adv. Pro. No. 22-50363 (CTG)
	:	
Colby Auto Investments, Inc.,	:	
	:	
Defendant.	:	
	:	

PLAINTIFF’S REQUEST FOR ENTRY OF DEFAULT

TO THE CLERK OF THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE:

Please enter default against the defendant named in the above-captioned action (the “Defendant”), pursuant to Fed. R. Civ. P. 55(a) and Fed. R. Bankr. P. 7055, for its failure to plead, otherwise defend or enter an appearance in the above captioned adversary proceeding as set forth in the Declaration of Sarah M. Ennis In Support of Plaintiff’s Request for Default and filed concurrently herewith.

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Advantage Holdco, Inc. (4832); Advantage Opco, LLC (9101); Advantage Vehicles LLC (6217); E-Z Rent A Car, LLC (2538); Central Florida Paint & Body, LLC (1183); Advantage Vehicle Financing LLC (7263); and RAC Vehicle Financing, LLC (8375).

Dated: December 8, 2022
Wilmington, Delaware

MORRIS JAMES LLP

/s/ Sarah M. Ennis

Eric J. Monzo (DE Bar No. 5214)
Sarah M. Ennis (DE Bar No. 5745)
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801
Telephone: (302) 888-6800
Facsimile: (302) 571-1750
E-mail: emonzo@morrisjames.com
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*Counsel to CBIZ Accounting, Tax and Advisory of
New York, LLC, Trustee of the Advantage Rent A Car
Unsecured Creditor Trust Liquidating Trust*

EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
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ADVANTAGE HOLDCO, INC., et al. ¹ ,	:	Case No. 20-11259 (CTG)
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Debtors.	:	(Jointly Administered)
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CBIZ Accounting, Tax and Advisory of	:	
New York, LLC, Trustee of the	:	
Advantage Rent A Car Unsecured	:	
Creditor Trust Liquidating Trust,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Adv. Pro. No. 22-50363 (CTG)
	:	
Colby Auto Investments, Inc.,	:	
	:	
Defendant.	:	
	:	

DECLARATION REQUESTING CLERK'S ENTRY OF DEFAULT

I, Sarah M. Ennis, hereby declare that the following is true and correct to the best of my knowledge, information, and belief:

1. I am an attorney at the law firm Morris James LLP and I am counsel to CBIZ Accounting, Tax and Advisory of New York, LLC, Trustee of the Advantage Rent A Car Unsecured Creditor Trust Liquidating Trust (the “Liquidating Trust” or “Plaintiff”),

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Advantage Holdco, Inc. (4832); Advantage Opco, LLC (9101); Advantage Vehicles LLC (6217); E-Z Rent A Car, LLC (2538); Central Florida Paint & Body, LLC (1183); Advantage Vehicle Financing LLC (7263); and RAC Vehicle Financing, LLC (8375).

2. On May 25, 2022, the Plaintiff initiated the above-captioned adversary proceeding, Adversary Number 21-50363 (the "Adversary Proceeding"), by filing a complaint to avoid and recover transfers (the "Complaint") against Defendant in the amount of \$56,328.00.

3. This Adversary Proceeding was brought to seek a judgment against Defendant in the amount of \$56,328.00, plus filing fees costs in the amount of \$350.00.

4. On July 26, 2022, the Plaintiff caused the Defendant to be served via First Class Mail with the Summons and Complaint in this action in accordance with Fed. R. Bankr. P. 7004(b). Additionally, on July 29, 2022, the Plaintiff caused the Defendant to be served via First Class Mail with an Amended Summons and Complaint in this action in accordance with Fed. R. Bankr. P. 7004(b). Attached hereto as **Exhibit 1** are both Certificates of Service filed with the Court and both are incorporated herein by this reference.

5. The Defendant failed to answer or otherwise respond to Plaintiff's complaint within the time provided by the Summons, Federal Rules of Civil Procedure, Federal Rules of Bankruptcy Procedure, the Local Rules of this Court, and any applicable orders entered in the Adversary Proceeding. The Summons, Complaint and Amended Complaint have not been returned by the United States Post Office, nor have we received any other notification that the Defendant was not served.

6. I have reviewed the docket of this adversary proceeding using PACER and no answer or other appearance has been filed on behalf of the Defendant as of the date of this Declaration.

7. To the best of my knowledge and belief, Defendant is a business entity and therefore is not an infant, incompetent person, or subject to the protection provided by the Soldiers and Sailors Civil Relief Act 1940 (50 U.S.C. App. § 520).

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: December 8, 2022

/s/ Sarah M. Ennis

Sarah M. Ennis (DE Bar No. 5745)

EXHIBIT 1

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
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ADVANTAGE HOLDCO, INC., et al. ³ ,	:	Case No. 20-11259 (CTG)
	:	
Debtors.	:	(Jointly Administered)
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CBIZ Accounting, Tax and Advisory of New York, LLC, Trustee of the Advantage Rent A Car Unsecured Creditor Trust Liquidating Trust,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Adv. Pro. No. 22-50363 (CTG)
	:	
Colby Auto Investments, Inc.,	:	
	:	
Defendant.	:	
	:	
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of July, 2022, I caused to be served a true and correct copy of the *Complaint* and *Summons and Notice of Pretrial Conference* upon the parties that are registered to receive notice via U.S. First Class Mail, postage prepaid, on the party listed below.

Colby Auto Investments, Inc.
2126 W Deer Valley Rd.
Phoenix, AZ 85027

Colby Auto Investments, Inc.
c/o Registered Agent: Darren A Colby
2126 W Deer Valley Rd.
Phoenix, AZ 85027

Dated: July 26, 2022

/s/ Sarah M. Ennis
Sarah M. Ennis (DE Bar No. 5745)

³ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Advantage Holdco, Inc. (4832); Advantage Opco, LLC (9101); Advantage Vehicles LLC (6217); E-Z Rent A Car, LLC (2538); Central Florida Paint & Body, LLC (1183); Advantage Vehicle Financing LLC (7263); and RAC Vehicle Financing, LLC (8375).

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New York, LLC, Trustee of the	:	
Advantage Rent A Car Unsecured	:	
Creditor Trust Liquidating Trust,	:	
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Plaintiff,	:	
	:	
v.	:	Adv. Pro. No. 22-50363 (CTG)
	:	
Colby Auto Investments, Inc.,	:	
	:	
Defendant.	:	
	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of July, 2022, I caused to be served a true and correct copy of the *Amended Summons and Notice of Pretrial Conference* upon the parties that are registered to receive notice via U.S. First Class Mail, postage prepaid, on the party listed below.

Colby Auto Investments, Inc.
2126 W Deer Valley Rd.
Phoenix, AZ 85027

Colby Auto Investments, Inc.
c/o Registered Agent: Darren A Colby
2126 W Deer Valley Rd.
Phoenix, AZ 85027

Dated: July 29, 2022

/s/ Sarah M. Ennis

Sarah M. Ennis (DE Bar No. 5745)

² The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Advantage Holdco, Inc. (4832); Advantage Opco, LLC (9101); Advantage Vehicles LLC (6217); E-Z Rent A Car, LLC (2538); Central Florida Paint & Body, LLC (1183); Advantage Vehicle Financing LLC (7263); and RAC Vehicle Financing, LLC (8375).